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FILED
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DISTRICT COURT
BY: [Signature]

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

**EBEN ANDREW McKENZIE, and
DUSTIN CHAPPELL BLACK,**

Defendants.

2:99CR 0195J

: **INDICTMENT**

: **VIO. 18 U.S.C. §1513(b)(2)**

: **RETALIATING AGAINST A
WITNESS, VICTIM OR INFORMANT**

The Grand Jury charges:

COUNT 1
(18 U.S.C. §1513(b)(2))

On or about April 9, 1999, in the Central Division of the District of Utah,

**EBEN ANDREW McKENZIE, and
DUSTIN CHAPPELL BLACK,**

the defendants herein, did knowingly threaten to cause bodily injury to Clinton Colby Ellerman
by saying they would beat or kill him, such conduct taken with the intent of retaliating against

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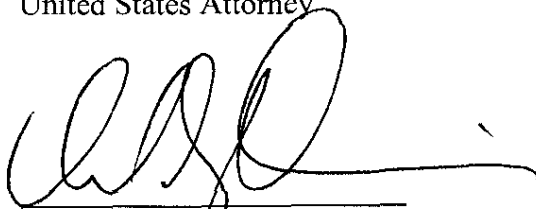
Clinton Colby Ellerman for information given by Clinton Colby Ellerman to a law enforcement officer relating to the commission or possible commission of a Federal offense, namely, damaging or destroying property used in or in an activity in or affecting interstate or foreign commerce by means of fire or an explosive, a violation of 18 U.S.C. §844(i), and using and carrying a firearm, namely an explosive, during and in relation to such offense, a violation of 18 U.S.C. §924(c), which matters were, at the time, pending before the United States District Court for the District of Utah, and did aid and abet therein; all in violation of 18 U.S.C. §1513(b)(2) and 18 U.S.C. §2.

A TRUE BILL:



FOREPERSON OF THE GRAND JURY

PAUL M. WARNER
United States Attorney



DAVID J. SCHWENDIMAN
Assistant United States Attorney